

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Henry BUSE

Appln. No.: 10/595,063

Group Art Unit: 3728

Confirmation No.: 2042

Examiner: Julie A. AGERS

Filed: January 26, 2006

For: FLIP-TOP PACKET FOR CIGARETTES

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO/SB/08 A & B (modified) and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of each of the listed documents is submitted herewith. Please note, U.S. 2,333,270 was previously cited with the Information Disclosure Statement filed January 26, 2006 and therefore is not listed on the attached Form PTO/SB/08.

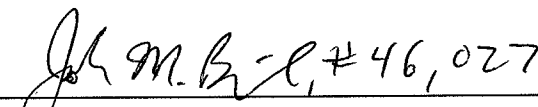
The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

INFORMATION DISCLOSURE STATEMENT
U.S. APPLN. NO. 10/595,063

In compliance with the concise explanation requirement under 37 CFR §1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a counterpart Japanese Office Action citing such documents, together with an English-language version of the Office Action indicating the degree of relevance found by the Japanese Patent Office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

for  #46,027

John H. Mion
Registration No. 18,879

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
(202) 663-7901

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 3, 2008